



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,345	01/10/2007	Michihiko Namba	296543US0PCT	8956
22850	7590	05/05/2009	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				SHAH, MANISH S
ART UNIT		PAPER NUMBER		
2853				
			NOTIFICATION DATE	DELIVERY MODE
			05/05/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 04/15/2009 have been fully considered but they are not persuasive. Applicant argued that combination of the Namba et al. in view of Ishibashi et al. is not proper, which is not persuasive. Applicant argued that Namba discloses pigment based ink and Ishibashi discloses the water soluble dye based ink, therefore it is not proper to combine. However, Ishibashi in paragraph ([0068-[0070]]) clearly teaches that ink jet ink composition used pigment as colorant. Therefore it is proper to use the Ishibashi with Namba because both the references teaches the pigment based ink.
2. In response to applicant's argument that either reference does not disclose or suggest such significant improvement in color saturation for ink containing 3-methyl-1,3-butanediol. However if the ink composition has a same component as applicant claimed invention then it will obviously solve the same problems, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Manish S. Shah/
Primary Examiner
Art Unit 2853

/MSS/